

ATTACHMENT D

**Surety Bond**

## LICENSE OR PERMIT BOND

Bond Number: 965-002-107

### KNOW ALL BY THESE PRESENT:

That we, Utility Resource Solutions L. P. as Principal, and Liberty Mutual Insurance Company, a company organized under the laws of the State of Massachusetts and having its principal office at Boston, Massachusetts, as Surety, are held firmly bound unto The People of the State of Illinois, as Obligor, in the penal sum of One Hundred Fifty Thousand Dollars (\$150,000), for the payments of which we the said Principal and the said Surety, bind ourselves, our successors, administrators and assigns, firmly by these present.

The condition of this obligation is such that, whereas, the Principal has made application to the obligee for a license as a gas supplier; and


Whereas, the Principal is required to furnish a bond in the amount of \$150,000 for the full and rightful performance of all duties and obligations of Utility Resource Solutions L. P. as an AGS.

NOW, THEREFORE, if said Principal well truly comply with applicable local ordinance, and conduct business in conformity therewith, then this obligation to be void: otherwise to remain in full force and effect.

This bond shall be in effect for a period of not less than one year. The effective date of this bond shall be February 3, 2003 and shall be continuous until cancelled as herein stated. This bond may be cancelled by the Surety by sending notice in writing to the Obligor stating when, not less than thirty days thereafter, liability hereunder shall terminate as to subsequent acts or omissions of the Principal.

Signed, sealed and dated this 3<sup>rd</sup> day of February, 2003.

Utility Resource Solutions L. P.  
Principal  
By: 

Liberty Mutual Insurance Company  
By:   
Richard B. Deming, Attorney-in-Fact

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY  
BOSTON, MASSACHUSETTS

POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS:

That Liberty Mutual Insurance Company (the "Company"), a Massachusetts mutual insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint **RICHARD B. DEMING, PETER N. MCGEE, MARSHALL BENNETT, CINDY S. REIQUM, JULIE A. BENNETT, TYLER P. DELANEY, WILLIAM R. PRICE, ALL OF THE CITY OF BOZEMAN, STATE OF MONTANA**

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding FIFTY MILLION AND 00/100 DOLLARS (\$ 50,000,000.00) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XVI - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer or other official of the company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the company by their signature and execution of any such instruments and to attach thereto the seal of the company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XVI, Section 5 of the By-laws, Timothy C. Mulloy, an official of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. All Powers of Attorney attested to or executed by Timothy C. Mulloy in his capacity as an officer or official of Liberty Mutual Insurance Company, whether before, on or after the date of this Authorization, including without limitation Powers of Attorney attested to or executed as Assistant Secretary of Liberty Mutual Insurance Company, are hereby ratified and approved.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 1st day of April, 2002.

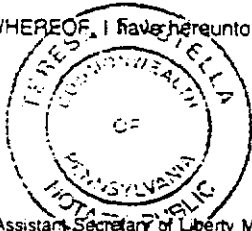
LIBERTY MUTUAL INSURANCE COMPANY

By Timothy C. Mulloy  
Timothy C. Mulloy, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 1st day of April, 2002, before me, a Notary Public, personally came Timothy C. Mulloy, to me known, and acknowledged that he is an official of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



Teresa Pastella  
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney was one of the officers or officials specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XVI, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 3rd day of February, 2003.

John F. X. Hee  
John F. X. Hee, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

**MEMO**

Page 1

ACCOUNT NO.	OP	DATE
UTILI-1	DT	01/21/2004
POLICY INFORMATION		
POLICY #		
965002107		
TYPE	EFFECTIVE	EXPIRATION
LBON	02/03/2004	02/03/2005

Utility Resource Solutions  
Keith Maxwell  
675 Bering Dr, Suite 700  
Houston, TX 77057

Keith

Re: Bond Renewal

The Utility Resource Solutions, L. P. for The People of the State of Illinois license bond in the amount of \$150,000 has been renewed for the policy period February 3, 2004 to February 4, 2005 for a premium of \$550.00, an invoice is enclosed.

Please call if you have any questions.

Thank you for your continuing business with First West, Inc.

Donna Tucek